

## ORDINANCE 20-27

### ORDINANCE TO AMEND PLANNED UNIT DEVELOPMENT ORDINANCES

**WHEREAS**, The City of Westfield, ("City") is a duly formed municipal corporation within the State of Indiana, governed by its duly elected Mayor and Common Council ("Council"); and,

**WHEREAS**, the Council has the duty and authority for the legislative function of zoning land within Westfield-Washington Township and,

**WHEREAS**, various past Planned Unit Developments ("PUDs") have been proposed, adopted and development plans approved that have not been developed in a timely manner; and,

**WHEREAS**, the Council finds it necessary to modify certain previously approved PUDs,

**NOW, THEREFORE, BE IT ORDAINED** by the Westfield City Common Council meeting in session as follows:

#### **Section 1.**

##### **PUD Expiration:**

Any PUD approved hereafter shall include an expiration date. The expiration date for each PUD shall be three years from the date of approval. Failure to start construction as it relates to a PUD within three (3) years of its effective date will automatically void the approved PUD. The PUD Zoning will remain valid; however, a rezone or text amendment will need to be approved to establish a new PUD Ordinance. The applicant may request an extension in writing and City Council may grant extensions where appropriate.

#### **Section 2.**

##### **Expiration of Existing PUDs:**

Each PUD approved less than seven (7) years prior to the date of approval of this Ordinance will be subject to the three years as of the date of the approval as outlined in Section 1.

#### **Section 3.**

This Ordinance shall be in full force and effect in accordance with Indiana Law, upon its passage by the City Council, its publication in accordance with law and upon the passage of any applicable waiting period, all as provided by the laws of the State of Indiana. All ordinances or parts thereof in conflict herewith are hereby ordered amended or repealed. All acts undertaken or taken pursuant to the adoption of this Ordinance are hereby authorized and/or ratified.

ALL OF WHICH IS ORDAINED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2020.

WESTFIELD CITY COUNCIL

Voting For

Voting Against

Abstain

\_\_\_\_\_  
James J. Edwards

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James J. Edwards

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James J. Edwards

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Scott Frei

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Scott Frei

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Scott Frei

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Jake Gilbert

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Jake Gilbert

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Jake Gilbert

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Mike Johns

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Mike Johns

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Mike Johns

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Troy Patton

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Troy Patton

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Troy Patton

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Cindy Spoljaric

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Cindy Spoljaric

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Cindy Spoljaric

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Scott Willis

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Scott Willis

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Scott Willis

ATTEST:

\_\_\_\_\_  
Cindy Gossard, Clerk Treasurer

I hereby certify that ORDINANCE 20-27 was delivered to the Mayor of Westfield

on the \_\_\_\_\_ day of \_\_\_\_\_, 2020, at \_\_\_\_\_ m.

\_\_\_\_\_  
Cindy Gossard, Clerk-Treasurer

I hereby APPROVE Ordinance 20-27\_

this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

I hereby VETO Ordinance 20-27

this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
J. Andrew Cook, Mayor

\_\_\_\_\_  
J. Andrew Cook, Mayor

ATTEST:

\_\_\_\_\_  
Cindy Gossard, Clerk Treasurer